

## PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT  
FOR THE Western DISTRICT OF TEXAS  
DIVISION

FILED

AUG 08 2019

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY cad DEPUTYCarland Ballentine 1567826  
Plaintiff's Name and ID NumberAlfred Hughes Unit Mental Health program  
Place of Confinement

W19CA459

CASE NO. \_\_\_\_\_  
(Clerk will assign the number)<sup>v.</sup>  
(Sgt) Heather Broxton 3201 Fm 929 Gatesville Tx. 76597  
Defendant's Name and Address(Sgt) Jay Hart. P.O. Box 99 - Huntsville Tx. 77342  
Defendant's Name and AddressVicki Cundiff Cerebrance Chen, Investigator  
Defendant's Name and Address  
(DO NOT USE "ET AL.")  
3201 Fm 929  
Gatesville Tx. 76597

## INSTRUCTIONS - READ CAREFULLY

## NOTICE:

**Your complaint is subject to dismissal unless it conforms to these instructions and this form.**

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

**FILING FEE AND IN FORMA PAUPERIS (IFP)**

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

**CHANGE OF ADDRESS**

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

**I. PREVIOUS LAWSUITS:**

A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? X YES    NO

B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)

1. Approximate date of filing lawsuit: 6-27-2018
2. Parties to previous lawsuit:  
Plaintiff(s) Carland W. Ballentine # 1567826  
Defendant(s) Beirah Collier, Stephen Bryant, Kenneth Dickerson, Janice Hanson, MONICA Mitchell
3. Court: (If federal, name the district; if state, name the county.) Eastern Dist. Texas
4. Cause number: 42:1983 9-18-CV-0019-RC-ZJH.
5. Name of judge to whom case was assigned: RON CLARK
6. Disposition: (Was the case dismissed, appealed, still pending?) Still Pending
7. Approximate date of disposition: No Ideal

- II. PLACE OF PRESENT CONFINEMENT: Alfred Hughes Unit Gatesville Tx.  
Mental Health Diversion program
- III. EXHAUSTION OF GRIEVANCE PROCEDURES:  
 Have you exhausted all steps of the institutional grievance procedure? X YES    NO  
 Attach a copy of your final step of the grievance procedure with the response supplied by the institution.
- IV. PARTIES TO THIS SUIT:

- A. Name and address of plaintiff: Coreland Wayne Baillentine III 1567826  
Alfred Hughes Unit 3201 Fm 929 Gatesville Tx. 76597
- B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: SGT OF CORRECTIONS. S.T.G. HEATHER BRANTON  
Alfred Hughes Unit 3201 Fm 929. Gatesville Tx. 76597

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you. Cruel Unl Punishment  
Discontinued Good Incent. "I.D.C Attached" Yet I was forced to Violate Rights  
5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> Constitutional Rights. Forced Custodial  
Interrogation, Overbearing Will, Staged Coercive Atmosphere 2-25-19.

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

Being told to Cooperate w/ outside law enforcement or get in solitary 2 more yrs

Defendant #2: STGMO Huntsville Tx. 77342 Jay Hart

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

Cruel Unl. Punishment By discontinuing Good Incent, Violating 5<sup>th</sup> Amend Rights

Defendant #3: Multi task force Investigating Arayan Circle lead By ATF.  
Louisiana, Houston P.d., Carrollton P.d. Tps of Texas.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

UNABLE to obtain Gov. Names As Requested on Step 1, Step 2. Ask Courts to Amend

Defendant #4: At later date.

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

#3. Vicini Curdoff deliberate Indifference: Denied, Delayed, prologa  
Grievance procedure.

## V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

The exhibit (A) Basically forces one to violate 5<sup>th</sup> Amend Rights or endure Cruel Unl. Punishment. Such as Additional yrs In Solitary Confinement. In which I do not get ~~Constitutional~~ Rights of other prisoners such as Contact Visits Phone Priv. Vocational, Educational Teachers. Solitary causes Anxiety, Inactivity leads To Bad Health. I.O.C. is A Clear Cert Violation of my 5<sup>th</sup> Amend Right. A decision Room Heather Beatty Collaborated with Steno Jay HART Steno Huntville, (All) Acting Under Color of Law, All In Individual, Official Capacity. Vicki Condliff Acted Deliberate Indifference By Denying, Delaying, Prolonging efforts To exhaust Admin. Remedies. One has An Amend Right To Petition Court.

## VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Been Housed Solitary Confinement 10 1/2 yrs straight. live To go to Court & be provided Constitutional Rights As other prisoners! Have no disp. Record To Justify Solitary Confinement for over A decade straight. Declaratory Judgement. Punitive, Compensatory, Preliminary Injunction

## VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Wild Child, Boon, Cow.

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

0151320 2002-2007.

1567826 NOW

## VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): N/A

2. Case number: \_\_\_\_\_

3. Approximate date sanctions were imposed: \_\_\_\_\_

4. Have the sanctions been lifted or otherwise satisfied? ☒ YES ☐ NO

C. Has any court ever warned or notified you that sanctions could be imposed? YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): N/A
2. Case number: \_\_\_\_\_
3. Approximate date warning was issued: \_\_\_\_\_

Executed on: 7-29-19  
DATE

Carland W. Ballestrine III  
Carland W. Ballestrine III  
(Signature of Plaintiff)

### PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 7-29-19 day of July, 20 19.  
(Day) (month) (year)

Carland W. Ballestrine III  
Carland W. Ballestrine III  
(Signature of Plaintiff)

**WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.**

Additional (2) Pages Attached  
8-Pages of Exhibits Attached



EVEN THOUGH CERTAIN CONDITIONS MIGHT NOT BE UNCONSTITUTIONAL OF THEIR OWN  
 THEY ADD UP TO CREATE AN OVERALL EFFECT THAT IS UNCONSTITUTIONAL  
PALMER V. JOHNSON, 193 F3d.346(5th CIR 1999). THE SUPREM COURT HAS  
 LIMITED THIS ARGUMENT TO CASES WHERE MULTITABLE CONDITIONS ADD UP  
 TO CREATE A SINGLE, IDENTIFIABLE HARM. WILSON, 501 US AT 305.  
 REQUEST, PUNITIVE, COMPENSATORY, PRELIMINARY INJUNCTION, DECLATORY  
 JUDGEMENTS.

[REQUESTING INJUNCTION RELIEF]. ACTUAL OR IMMINENT INJURY  
 A SHOWING OF I.O.C. (SEE EX.A) CLEARLY DEMONSTRATES A CAUSATION SGT  
 H. BROXTON, HAS CAUSED CRUEL UNN. PUNISHMENT, BY FORCING ME TO WAIT  
 12 MONTHS FROM 6-11-19 TO 6-11-20 BEFORE SIGNING BACK UP TO EN-  
 DURE 12 MONTHS OF INVESTIGATION. WHICH WILL EQUAL 24 MONTHS OF  
 ADDED SOLITARY CONFINEMENT, IN FACT I HAVE SPENT 10½ yrs. STR-  
 aight "CONFINED TO SOLITARY" HAVING NO DISCIPLINARY RECORD TO JUS-  
 tify SUCH. ONLY AVENUE "STG" HAS IS TO PARTICIPATE IN GANG RENUN-  
cation AND DISASSOCIATION PROGRAM. EXHIBIT 2B PLAINLY SHOWS CRIT-  
 ERIA -NO WHERE DOES IT INDICATE NOR SAY ONE MUST COOPERATE WITH  
 LAW ENFORCEMENT ..SUCH AS BEAR WITNESS OR INCRIMINATE ONE SELF,  
 AS ONE HAS 5th AMEND. RIGHT (TO REMAIN SILENT).

THIS ALL STARTED 2-25-19. SGT. BROXTON CAME TO MY CELL DOOR  
 WITH C/O SUTHERLAND ANOTHER SGT. BOSS, WHICH HE POPPED MY SLOT, TOLD  
 ME TO STRIP OUT, WHICH I COMPLIED AS I ALWAYS DO. I FIGURED IT WAS  
 ANOTHER CELL SEARCH, AS I HAVE BEEN SUBJECT TO MULTITABLE CELL SEA-  
 RCHES, MOVED MULTITABLE TIMES, HAD LEGAL MAIL OPENED OUTSIDE MY  
 PRESENCE, ALL IN ATTEMPTS TO GET OUT OF SOLITARY.

STGMO JAY HART IS SGT. BROXTON SUPERVISOR, RESPONSIBLE FOR  
 THIS DECISION AND ENFORCING BROXTON TO ADHERE TO POLICY OR PRO-  
 CEDURES THAT HAVE VIOLATED MY CONST. RIGHTS! MY MOTHER NOTIFIED  
 STGMO JAY HART ON \_\_\_\_\_, THUS MAKING BOTH JAY HART AND SGT.  
HEATHER BROXTON "GROSSLY" NEGLIGENT. MERIWEATHER V. COUGHLIN, 879  
 F2d.1037(2nd CIR 1989).

VICKI CUNDIFF DISPLAYED DELIBERATE INDIFFERENCE BY DENYING  
 , DELAYING AND PROLONGING MY ABILITY TO EXHAUST ADMIN. REMEDIES,  
 AS ONE HAS A RIGHT TO REDRESS HIS GRIEVANCE. CLEARLY SHE ERRORED  
 ON SAYING IT WAS REDUNDANT WHICH IN FACT IS FALSE. GRIEVANCE#  
 2019088782 IS IN REGARDS TO CUSTODIAL STAGED, COERSIVE INTORRO-  
 GATION. AS I WAS NOT EVEN MADE AWARE OF I.O.C. TILL JUNE, 11 2019  
 this GRIEVANCE WAS SUBMITTED ON 3-5-19, SO THERE IS NO WAY POS-  
 SIBLE GRIEVANCE#2019139091 NOR 2019142775 COULD BE REDUNDANT.  
 TO GRIEVANCE# 2019088782. clearly AN ERROR OR ATTEMPT TO DENY  
 ME ACCESS TO REDRESS MY GRIEVANCE.. DELIBERATE INDIFFERENCE.

ON 2-25-19 THE INVESTIGATION WAS RECORDED, AT NO TIME DOES  
STGMO JAY HART, STG SGT. BROXTON INFORM ME THAT FAILURE TO INCRIMINATE MY SELF OR LIE ON OTHERS WOULD COST ME MY GRAD!! CLEARLY THIS TACTIC ALONE JEPARDIZES INTEGRITY OF SAID INVESTIGATION, WHO IS TO SAY INMATES ARE NOT TELLING THESE FOLKS LIES IN REGARDS TO OTHERS JUST TO SIMPLY GO TO GRAD?

REQUESTING A JURY TRIAL IN THIS CASE.

RESPECTFULLY SUBMITTED,

GARLAND BALLENTINE #1567826

Hughes Unit

3201 FM 929

Gatesville Tx 76597



# INTER OFFICE COMMUNICATIONS

## TEXAS DEPARTMENT OF CRIMINAL JUSTICE

TO: Offender Ballentine, Garland #1567826

DATE: 6/11/19

FROM: Sgt. H. Broxton  
SECURITY THREAT GROUP OFFICE  
A. D. HUGHES UNIT

SUBJECT: Disassociation Investigation  
Discontinued Notification

This notification is to inform you that your disassociation investigation has been discontinued due to:

☐ The disassociation investigation has been terminated at your request.

☐ It has been determined you are still active in your gang.

☒ Other: Failure to cooperate with outside law enforcement regarding Aryan Circle investigation.

You will be eligible to resubmit a request to initiate a new Disassociation Investigation one year from this date.

~~CONFIDENTIAL~~ (A)





# STEP 1 OFFENDER GRIEVANCE FORM

Offender Name: Carland Baillentine III TDCJ # 1567826  
 Unit: Alfred Hughes Unit Housing Assignment: A-25 12 Build.  
 Unit where incident occurred: Alfred Hughes Unit

Grievance #: 2019088782  
 Date Received: 3-5-19  
 Date Due: 4-14-19  
 Grievance Code: 211  
 Investigator ID #: FZ387  
 Extension Date: \_\_\_\_\_  
 Date Retd to Offender: APR 11 2019

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? STC, D/C, ATF, Feds drug force. When? 2-25-19  
 What was their response? Interrogated, Coercive, Staged Environment  
 What action was taken? My Rights Violated by Tdcj employees..

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

First I Am In A physch program, Been In Add Seeg 10 1/2 yrs... AT NO Time Should I be Questioned w/out Counsel. Low IQ, Low educational level. I experienced Anxiety while In Room full of people. This Interrogation Consisted of A Staged Environment in D/C Camps, even being ENVIDURED to begin with. 2.) I WAS NOT even NOTIFIED OF what I WAS WALKING INTO OR ASKED if I WANTED TO TALK to These people. STC. Sutherland Rolled up - popped JBT - told me strip out. AS IF ONE don't comply I lose my Cared STATUS. So I WAS forced to exit Cell. Then Handcuffed & placed in A Room w/ALL These People trapped. I'm experiencing sleep deprivation due To FACT- These Individuals tried to get me to Incriminate my self. The Whole ordeal WAS A Coercive Atmosphere And Staged. I'd like To have names of AN Individuals in Room, Plus Agency They work for, Why was I NOT told AT Cell Front what was going ON, I WAS NOT given AN Option AT All.. I did NOT fully comprehend what was going on, Takes me A MIN to grasp Things. All this was specifically to elicit Incriminating Responses from me.. Even tho I displayed AN unequivocal Assertion of Right to Remain Silent.. Interrogation ended cause Drug Test force dude even said - I was Agitated & Communication was getting NO where. You people clearly have Taken Advantage of my Disabilities. Clearly To be In mental Health program = I suffer A disability - deserving of Equal Protections. Tdcj & These officers clearly have Violated These Rights.. I've NOT Been Around that many People Since 9-13-08  
 NIA

"copy"

Exhibit 11

N/A

↓

Action Requested to resolve your Complaint.

*Id like copy of paper I 1/2 signed. Also names of people involved in this interview 5 Agencies they represent. Why was I NOT given A choice to go ahead there?*

Offender Signature: *Carland Ballentine III*

Date: *3-4-19*

Grievance Response:

THE INVESTIGATION REVEALED THAT ON THE DAY IN QUESTION YOU WERE ESCORTED BY OFFICER M. SOUTHERLAND AND SGT. H. BROXTON TO SPEAK WITH OUTSIDE LAW ENFORCEMENT. YOU WERE NOT INTERVIEWED BY STG STAFF AT ANYTIME THAT DAY. NO FURTHER ACTION WARRANTED.

Signature Authority: *[Signature]*

Date: *4-10-19*

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☐ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 8. The issue presented is not grievable.
- ☐ 9. Redundant, Refer to grievance # \_\_\_\_\_
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature: \_\_\_\_\_

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: \_\_\_\_\_

I-127 Back (Revised 11-2010)

### OFFICE USE ONLY

Initial Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2<sup>nd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3<sup>rd</sup> Submission UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_



Waive time frame

## Texas Department of Criminal Justice

## STEP 2

OFFENDER  
GRIEVANCE FORM

AK JUN 27 2018

## OFFICE USE ONLY

Grievance #: 2019088782

UGI Recd Date: 5-21-19

HQ Recd Date: MAY 28 2019

Date Due: 10-30

Grievance Code: 211

Investigator ID#: 12704

Extension Date:

Offender Name: Garland Barlett TDCJ # 1567826  
 Unit: Alfred Hughes Unit Housing Assignment: DC-35 12 build  
 Unit where incident occurred: Alfred Hughes Unit, Gatesville TX.

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

It doesn't address, nor answer the step one @ all. However it does validate - The staged coercive interrogation Tdcj played part in. 1.) By Admittance STG escorted me, Hughes Unit has escort bosses for that, does it not?? STG Braxton then was used as element to get me out cell. Knowing I wouldn't refuse to come out - If they came to door. (Due to Carol Inquest)

Step one does not even answer who all was in room nor what Agency they represented - Being they are not on employee roster in law library, I need to obtain names of individuals as well as Agency they represented in order to proceed in 1983 complaint. As step one clearly states my Constitutional Rights were in fact violated, I was not equally protected while in Tdcj custody.

N/A



Offender Signature:

Garland Ballew III

Date:

4-21-19

Grievance Response:

Step 1 has addressed your concerns. No further action warranted.

Offender Signature:

Date:

Grievance Response:

M. Lewandowski, PSI, Offender Grievance

Signature Authority:

ML

Date:

6/6/19

Returned because: \*Resubmit this form when corrections are made.

Offender Signature:

☒ 1. Grievable time period has expired.☐ 2. Illegible/Incomprehensible.\*☐ 3. Originals not submitted.\*☐ 4. Inappropriate/Excessive attachments.\*☐ 5. Malicious use of vulgar, indecent, or physically threatening language.☐ 6. Inappropriate.\*

Signature Authority:

Returned because: \*Resubmit this form when corrections are made.

CGO Staff Signature:

☒ 1. Grievable time period has expired.☐ 2. Illegible/Incomprehensible.\*☐ 3. Originals not submitted.\*☐ 4. Inappropriate/Excessive attachments.\*☐ 5. Malicious use of vulgar, indecent, or physically threatening language.☐ 6. Inappropriate.\*

I-128 Back (Revised 11-2010)

## OFFICE USE ONLY

Initial Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

2nd Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

3rd Submission

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

Appendix G



## Texas Department of Criminal Justice

12C-35

## STEP 1

OFFENDER  
GRIEVANCE FORM

## OFFICE USE ONLY

Grievance #: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Due: \_\_\_\_\_

Grievance Code: \_\_\_\_\_

Investigator ID #: \_\_\_\_\_

Extension Date: \_\_\_\_\_

Date Retd to Offender: \_\_\_\_\_

Offender Name: Garland Baillentine III TDCJ # 1567826Unit: Alfred Hughes Unit Housing Assignment: C-35Unit where incident occurred: Alfred Hughes Unit

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? LT. VAAS, When? 6-12-19What was their response? He'd notify STEP BROXTON. I need to see her.What action was taken? None.

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON 2-25-19 I WAS pulled OUT By SGT BROXTON & C.O. SUTHERLAND. AT FIRST I THOUGHT IT WAS CELL SEARCH. ANYHOW I'm taken to Room for STAGED INTERROGATION. See grievance # 2019088782. Thing is NOW All OF Sudden 6-11-19. I REC I-O-C. Saying my Grand INVEST been DISCONTINUED. Due To "OTHER" FAILURE TO COOPERATE WITH OUT-SIDE law enforcement. "FIRST" I've BEEN IN-ACTIVE for YES, I ANSWERED THEIR QUESTIONS IN REGARDS TO MYSELF! SORRY IF IT WAS NOT WHAT THEY WANTED TO HEAR. SECOND - I HAVE A 5TH AMENDMENT CONSTITUTIONAL RIGHT, ONE SHOULD NOT BE COMPELLED IN ANY CRIMINAL CASE TO BE WITNESS AGAINST HIMSELF, A RIGHT TO REMAIN SILENT, NOT TO INCRIMINATE ONE'S SELF. I HAD NO LAWYER PRESENT & ANSWERED QUESTIONS AGAINST MY WILL AS-IS. TO DISCONTINUE MY STEP INVEST W/OIT HAVING BEEN JUDGED TO BE ACTIVE - IS UNLAWFUL. AS I've ATTACHED Grand CRITERIA & PROCESS TO THIS STEP 1. NO WHERE ON THERE does it STATE ONE MUST COOPERATE WITH law enforcement OF OUTSIDE AGENCIES. NOR WAS I INFORMED OF SUCH BY NEITHER SGT. BROXTON OR SUTHERLAND. LIKE I SAID I WAS NOT EVEN INFORMED WHO I WAS GOING TO SEE, SO I WAS blind-sided by same individuals who NOW ARE VIOLATING MY CONSTITUTIONAL RIGHTS. I BEEN IN SGT 10 1/2 YRS, EVERY TIME I SIGN UP FOR Grand 4 X'S NOW - EVERY TIME I GET KICKED OFF FOR NO SENSE. A PATTERN HAS DEVELOPED HERE folks! IT'S CRUEL, UNLAWFUL PUNISHMENT, VIOLATING due process OF LAW, AS WELL AS my 5TH AMEND RIGHT. I NEED THE STENO NAME IN ORDER TO FILE A 1983 ON SGT BROXTON & STENO, AS WELL AS TDCJ. I've DONE NOTHING TO WARRANT TO BE TERMINATED FROM Grand INVEST, CLEARLY COURTS HAVE HELD ONE HAS 5TH AMEND RIGHTS. I've been subjected TO DIFFERENTIAL TREATMENT By being MOVED MORE THEN OTHERS, HAVE had my legal MAIL OPENED OUTSIDE OF my presence.

JUN 21 2019



Have had my mail tossed about on step desk & forgotten to be mailed out for 2 weeks. At a time, subjected to multiple cell searches, Always have I complied w/ STEC Regulations, Followed CRITERIA To best of my knowledge, I could've made up lies to officers, yet I'm not that type of person. The whole point of that **COERCIVE** Custodial Interrogation was 1) To get me to incriminate myself. 2) See what type of defense I had 3.) Force me to lie on others or my self to appease their assumptions. That interview violated my rights, As this I.O.C., And disqualification of good does.. Please Return Good process sheet that's attached to step 1 when it's processed, I'll need to have copies made by law library, or lawyer. Thank-

JUN 21 2019

Action Requested to resolve your Complaint.

Please close out my interest, like it supposed to be, provide me with the good name of STEC officer who made this call - so I can file suite.

Offender Signature: Michael Balled HereDate: 6-13-19

Grievance Response:

Signature Authority: \_\_\_\_\_

Date: \_\_\_\_\_

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☒ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 8. The issue presented is not grievable.
- ☒ 9. Redundant, Refer to grievance # 2019088782
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature: Vicki Condit

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: \_\_\_\_\_

I-127 Back (Revised 11-2010)

## OFFICE USE ONLY

Initial Submission UGI Initials: VC

Grievance #: 2019139091

Screening Criteria Used: A1, A9

Date Recd from Offender: JUN 21 2019

Date Returned to Offender: JUN 21 2019

**2<sup>nd</sup> Submission** UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

**3<sup>rd</sup> Submission** UGI Initials: \_\_\_\_\_

Grievance #: \_\_\_\_\_

Screening Criteria Used: \_\_\_\_\_

Date Recd from Offender: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_



## *Proceso de Renunciación y Desasociación de Pandillas (GRAD)*

El Departamento de Justicia Criminal de Texas ha iniciado un proceso, el cual proporciona un método a los ofensores de renunciar su sociedad con un conocido Grupo que Amenaza la Seguridad (STG). Este procedimiento es llamado el Proceso de Renunciación y Desasociación de Pandillas o GRAD. Para aquellos ofensores dispuestos a renunciar a su afiliación a pandillas será requerido que participen en el proceso y actividades en la pandilla hasta que su terminación satisfactoria sea obtenida. Este proceso es de nueve (9) meses de duración.

Después de que complete satisfactoriamente este proceso, el ofensor será liberado a población general y colocado en una unidad recomendada por el Comité Estatal de Clasificación. Si el ofensor no termina satisfactoriamente el proceso GRAD o es encontrado estar envuelto en actividades de STG después de su liberación a población general, el ofensor será regresado a Segregación Administrativa y no le será permitido participar en el Proceso GRAD otra vez. El ofensor debe expresar, por escrito, el deseo de renunciar a su participación en STG y DEBE ser al Oficial de Grupos que Amenazan la Seguridad de la Unidad. La Oficina Gerencial de Grupos que Amenazan la Seguridad (STGMO) hará la decisión final en cualquier asunto tocante al proceso GRAD. Para poder participar, un ofensor debe reunir el siguiente criterio:

- No asaltos a ofensores por un periodo de por lo menos dos (2) años.
- No asaltos a empleados por un periodo de por lo menos dos (2) años.
- No casos mayores de disciplina de ningún tipo en por lo menos un (1) año.
- No casos de extorsión por un periodo de por lo menos dos (2) años.
- No casos de posesión de armas por un periodo de por lo menos dos (2) años.
- No casos de mala conducta agresiva sexual de por lo menos dos (2) años.
- Debe estar en estatus de nivel uno por un mínimo de un (1) año.
- Debe haber renunciado a su sociedad en un Grupo que Amenaza la Seguridad.
- Documentos que prueben desasociación (**Anexo "B"**) deben ser completados a nivel de la Unidad y Regional.
- Debe firmar una Carta de Intención para Participar.
- Debe firmar una Forma de Renunciación GRAD.
- Debe No haber estado envuelto en ningún acto de Grupo que Amenaza la Seguridad por un mínimo de dos (2) años.
- No Indicador de precaución de seguridad de: (ES) Escape, (SA) Asalto a empleados o (HS) Situación de rehenes.

*Proceso GRAD es de nueve (9) meses de duración:*

### **Fase I (2 meses)**

**Plan de Estudios:** Clases de abuso de sustancia (35 lecciones @ 2-1/2 horas -un mínimo de 30 lecciones), Alcohólicos Anónimos, videos de la capellanía.

### **Fase II (4 meses)**

**Plan de Estudios:** Intervención Cognitiva (180 horas obligatorias) manejo de coraje/abuso de sustancia (17 semanas - 6 horas por semana - con un mínimo de 68 horas), conducta adictiva criminal.

### **Fase III (3 meses)**

**Plan de Estudios:** horario de 1/2-día de trabajo, lavandería, campo, servicio de comedor, 1/2 día en programas de la unidad.

*[Handwritten signature and initials]*

## *Gang Renouncement and Disassociation (GRAD) Process*

The Texas Department of Criminal Justice has initiated a process, which will provide a method for offenders to renounce their membership with a known Security Threat Group (STG). This procedure is called the Gang Renouncement and Disassociation Process, or GRAD. Those offenders willing to renounce their gang affiliation will be required to participate in the process and associated activities until successful completion is attained. This process is nine (9) months in duration.

After successful completion of this process, the offender will be released into general population and placed on a unit recommended by the State Classification Committee. If the offender does not successfully complete the GRAD process or is found to be involved in STG activities after release to general population, the offender will be returned to Administrative Segregation and will not be allowed to participate in the GRAD Process again. The offender must express, in writing, a desire to renounce his membership in the STG and it MUST be to the unit Security Threat Gang Officer. The Security Threat Group Management Office (STGMO) will make the final decision on any matters pertaining to the GRAD process. In order to participate, an offender must meet the following basic criteria:

- **No** offender assaults for a period of at least two (2) years.
- **No** staff assaults for a period of two (2) years.
- **No** major disciplinary cases of any kind for at least one (1) year.
- **No** extortion cases for a period of at least two (2) years.
- **No** weapon possession cases for a period of at least two (2) years.
- **No** aggressive sexual assault misconduct cases for at least two (2) years.
- **Must** be level one status for a minimum of one (1) year.
- **Must** have renounced his membership in a Security Threat Group.
- **Documentation** evidencing disassociation (**Attachment "B"**) must be completed at the Unit and Regional levels.
- **Must** sign a release form requesting participation.
- **Must** sign the GRAD Renouncement Form.
- **Must** not have been involved in any Security Threat Group act for a minimum of two (2) years.
- **No** security precaution designator of: (ES) Escape, (SA) Staff Assault, or (HS) Hostage Situation.

*Criteria  
NO where does it state  
must cooperate w/outside  
Agency's - NR was I informed  
By STG of such  
AS I answered best  
of my abilities.*

*GRAD Process is nine (9) months in length:*

### **Phase I (2 months)**

**Curriculum:** Substance abuse classes (35 lessons @ 2-1/2 hours - minimum of 30 lessons), Alcoholics Anonymous, Chaplaincy videos.

### **Phase II (4 months)**

**Curriculum:** Cognitive intervention (180 mandatory), anger management/substance abuse (17 weeks - 6 hours per week - minimum of 68 hours), criminal addictive behavior.

### **Phase III (3 months)**

**Curriculum:** 1/2-day work schedule, laundry, fields, food service, 1/2-day unit programs.

## TEXAS DEPARTMENT OF CRIMINAL JUSTICE

## Inter-Office Communication

Administrative Review and Risk Management  
Offender Grievance12C-35  
TO: BALLENTINE, GARLAND

TDCJ #: 1567826

UNIT: AH

FROM: Central Grievance Office

SUBJECT: Improperly Submitted Grievance

Your documents received in this office have been reviewed and a response is indicated below. Contact the warden, major, chief of classification or a security officer for issues you deem as an emergency; however, are not considered an emergency through the Offender Grievance procedure. **If you need additional information or assistance, you may contact the Unit Grievance Investigator at your unit.**

- ☐ Please utilize the Offender Grievance Procedure to address your concerns.
- ☐ A copy of the Instructions on How to Write and Submit Grievances is enclosed for your information.
- ☐ Policy requires that all grievances be submitted through your Unit Grievance Investigator within 15 days of the applicable date.
- ☐ These issues have been reviewed at both steps of the grievance procedure. No other administrative remedies are available to you regarding the issue. Further action by this office is not warranted.
- ☐ If you wish to obtain a copy of a Step 1 grievance, contact your Unit Grievance Investigator via I-60 Request to Authority. The records retention for grievances is three years.
- ☐ Your Step 1 grievance(s) was properly screened.
- ☐ Contact the Law Library concerning your requested information or open records request.
- ☐ Records indicate that grievance # \_\_\_\_\_ is currently under review at Step \_\_\_\_\_.
- ☐ The use of vulgar language towards staff in your grievance will not be tolerated and may result in disciplinary action being taken by unit administration.
- ☐ This Step 2 appeal is being returned to you without action; however, the unprocessed Step 1 grievance is under review.
- ☐ This Step 2 appeal cannot be processed without the corresponding original, answered Step 1 grievance.
- ☒ You may not submit a Step 2 appeal on a Step 1 grievance that was screened using one of the screening criteria, and returned to you unprocessed.
- ☐ You had the option of correcting screened grievance # \_\_\_\_\_ and resubmitting to the unit grievance investigator within 15 days from the date of the returned grievance.
- ☒ It is not permissible to mail your grievances directly to the Central Grievance Office. Submitting your grievances incorrectly may result in your grievable time to expire.
- ☐ This issue is currently being addressed in grievance # \_\_\_\_\_. If you are not satisfied with the Step 1 response, you may appeal the Step 1 decision by filing a Step 2 (I-128).
- ☐ Records indicate that Grievance # \_\_\_\_\_ was returned to you on \_\_\_\_\_.



## TEXAS DEPARTMENT OF CRIMINAL JUSTICE

FROM: Central Grievance Office

SUBJECT: Offender Correspondence

You should always attempt to resolve your problem informally at your unit with staff, department and security supervisors, or the warden. Verbally communicate the problem, or submit an I-60 Offender Request to Official. Sending your concerns to the wrong department or agency is inappropriate and only delays valuable response time. Your prison-related issues can be addressed in a timely manner by directing them to the appropriate responsible TDCJ department listed below.

☐ **Offender Protection Issues (OPI):** Immediately contact a correctional officer; security supervisor; warden; assistant warden; or the Classification Department at your unit.

☐ **Offender Grievance Procedure:** Issues regarding unit operations, disciplinary disputes, property issues, mail or any other matter relating to conditions of care or supervision may be formally addressed through the Offender Grievance Procedure if informal contact (verbally or I-60) with unit staff does not address your concerns. Submit your Step 1 grievance to the Grievance Department at your unit. Allow ample time for the Grievance Department to investigate your complaint and return a reply to you. If you appeal a decision to the next level, you must submit a Step 2 grievance along with the original answered Step 1 grievance to the Grievance Department at your unit. Step 2 grievances are reviewed by the regional authority or the Central Grievance Office if you are dissatisfied with the response on the Step 1. **Directing grievances to unrelated offices may result in expiration of your grievable time period.**

If you have already pursued the issue through the Offender Grievance Procedure at Step 1 and Step 2; no other administrative remedies are available to you regarding the issue. You may pursue the matter in any manner you choose outside of the agency.

☐ **Medical Care:** The unit physician is the primary care provider at the unit level and is responsible for the determination of medical treatments, medications, medical restrictions, and scheduling of services. You should attempt to resolve your problem at the unit level first by contacting the unit medical administrator in writing (sick call request or I-60 request form) for assistance. Subsequently, if you are not in agreement with the provider's response you may utilize the grievance process. You will not be transferred for medical reasons without the approval and recommendation of unit health care providers.

☐ **Office of Inspector General (OIG) Investigation:** Complaints or allegations relating to excessive or unreported use of force, physical harm by staff, or any crime committed by an offender or employee on state property should be directed to the Office of Inspector General, Investigation Division at P.O. Box 4003, Huntsville, TX, 77342. Full details must be provided in order to initiate an investigation in this manner.

☐ **Classification:** Issues related to time disputes; time calculations; sentencing; concurrent time and stacked time; jail time; forfeited good conduct time; back dated good conduct time; class; promotions; cell assignment; or information on various programs should be directed to the Classification Chief at your unit or the Classification & Records Department at P.O. Box 99, Huntsville, TX, 77342-0099.

☐ **Transfer:** Offenders are not at liberty to choose their unit of assignment. Notify the Classification Department at your unit if you have a reason that warrants a transfer. A request for a hardship transfer may be made if an immediate family member, listed on your approved visitation list, is unable to travel long distances. To be considered, you must be at least L1/G3, with no major disciplinary cases for 1 year and more than 200 miles from home. The family member may submit their request along with a letter from their doctor to verify the medical disability to Joni White, TDCJ-Classifications & Records Department at P.O. Box 99, Huntsville, TX, 77342-0099. A transfer is not guaranteed, but the request will be reviewed for consideration.

☐ **Parole:** Parole review status issues should be directed to the Board of Pardons and Paroles at P.O. Box 13401, Capitol Station, and Austin, TX 78711.

☐ **Education:** Issues related to education should be directed to the Windham School Principal at your unit. Continuing Education issues

should be directed to Windham School at P.O. Box 40, Huntsville, TX, 77342. You will not be considered for educational transfer without Windham recommendation.

☐ **Trust Fund & Commissary:** Issues related to your commissary account should be directed to Inmate Trust Fund at P.O. Box 629, Huntsville, TX, 77342. Issues related to commissary purchases, items stocked, or special requests should be directed to the commissary supervisor at your unit.

☐ **Food Service:** Issues related to meals, sack lunches, or special diet menus should be sent to the food service manager for resolution at your unit. If the issue is not resolved at the unit level, then contact the Director of Food Service at P.O. Box 99, Huntsville, TX, 77342-0099.

☐ **Legal Assistance:** Issues such as conviction appeal, detainers, divorce, or child support should be directed to an offender's attorney or State Counsel for Offenders, Legal Services Section at P.O. Box 4005, Huntsville, TX, 77342-4005.

☐ **Law Library:** All offender legal issues related to unit operations such as, access to courts; legal visits with other offenders; world attorney visits; indigent, legal or correspondence supplies; postage; policy; and state law information requests should be directed to the law library supervisor at your unit.

☐ **Security Threat Group (STG):** If you feel you have been incorrectly identified as a member of a security threat group, or wish to begin the disassociation process, you should contact the Security Threat Group Officer (STGO) at your unit. The STGO will know the proper procedure to follow in having your STG status reviewed. You may also write to the Security Threat Group Management Office (STGMO) at P.O. Box 99, Huntsville, TX, 77342-0099. However, the STG Management Office relies more on requests and information submitted to them by the Unit STGO than directly from offenders.

☐ **Lockdowns & Shakedowns:** Unfortunately, offenders who had nothing to do with a disturbance are often included in a lockdown, and all offenders at a unit are affected by a semi-annual shakedown. The procedures for implementing a lockdown or shakedown are well established and have proven effective in restoring order and ensuring the security of the unit, as well as the safety of offenders and staff. That does not mean the process is pleasant for offenders or staff.

☐ **Laundry/Necessities/Unit Supply:** These items are available on a one for one exchange. You must turn in an item to receive a like item. Resolution must first be attempted on the unit for Issues involving laundry/necessities and unit supply.

☐ **Rehabilitation Programs:** Questions regarding rehabilitation are to be directed to: Rehabilitation Program Division at 4616 W. Howard Ln. Suite 200; Austin, TX 78728.

☐ **Religion:** Any issue related to religious programs; services; holidays; or activities should be directed through the Chaplain at your unit or the TDCJ Chaplaincy Department at P.O. Box 99, Huntsville, TX, 77342-0099.



## Texas Department of Criminal Justice

# STEP 1 OFFENDER GRIEVANCE FORM

## OFFICE USE ONLY

Grievance #: \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Due: \_\_\_\_\_

Grievance Code: \_\_\_\_\_

Investigator ID #: \_\_\_\_\_

Extension Date: \_\_\_\_\_

Date Retd to Offender: \_\_\_\_\_

Offender Name: Carlaud Baillentine # TDCJ # 1567826  
 Unit: Alfred Hughes Housing Assignment: 12C-35  
 Unit where incident occurred: Alfred Hughes

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? Received I.O.C in mail When? 6-11-19

What was their response? Grad discontinued

What action was taken? Kicked off Investigation

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

ON 2-25-19 ATF, New York force, Compton force Multi Agency Investigation  
 ARYAN Circle. Staged A Coercive Custodial Interrogation with the help  
 OF Tdcj, DTG, STG. I WAS NOT ADVISED @ Cell Front, I was even Hearing  
 INTO A SITUATION AS SUCH "Come in Advise" OR even Asked if I wanted  
 To Talk to Such people more or less forced, Compelled to Incriminate  
 my self, hear witness Against self. Now 6-11-19 The I.O.C., I got  
 Stated. Failure to cooperate with outside law enforcement. Sign Back  
 up 1-yr from date above which is wait to sign up 1-yr, then do  
 Another yr. Incest, (2yrs) Total AND Only way I'll make it is  
 if I talk, cooperate Against my self. A clear VIOLATION OF my  
 CONSTITUTIONAL Rights. Right to Remain silent, Right NOT to hear  
 Witness Against ones self, NOR Incriminate one self. 5th, 14th 6th, 8th  
 Constitutional Rights Violated By This decision SET. H. BROXTON and  
 STGMO OFFICER HUNTSMIRE have made. Clear, decisive VIOLATION.  
 Plan to file 1983 - I WAS forced to Co-operate ON 2-25-19 came out  
 N/A Cell complied w/ story, went to interview that overheard my will-

Exhibit (1)

NIA

Action Requested to resolve your Complaint.

My Finest Closed out, sent to Ceard. I was due to close out Finest June 2019. Have Ico Right page She signed..

Offender Signature: Michael B. Kent-Hue III

Date: 6-20-19

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: \*Resubmit this form when the corrections are made.

- ☒ 1. Grievable time period has expired.
- ☐ 2. Submission in excess of 1 every 7 days. \*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments. \*
- ☐ 5. No documented attempt at informal resolution. \*
- ☐ 6. No requested relief is stated. \*
- ☐ 7. Malicious use of vulgar, indecent, or physically threatening language. \*
- ☐ 8. The issue presented is not grievable.
- ☒ 9. Redundant, Refer to grievance # 2019/42775
- ☐ 10. Illegible/Incomprehensible. \*
- ☐ 11. Inappropriate. \*

UGI Printed Name/Signature:

Vicki Anderson  
Vicki Anderson  
Vicki Anderson

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority:

I-127 Back (Revised 11-2010)

OFFICE USE ONLY

Initial Submission: UGI Initials: Ve  
 Grievance #: 2019/42775  
 Screening Criteria Used: \* 1 & 9  
 Date Recd from Offender: JUN 20 2019  
 Date Returned to Offender: JUN 20 2019  
 2<sup>nd</sup> Submission UGI Initials: \_\_\_\_\_  
 Grievance #: \_\_\_\_\_  
 Screening Criteria Used: \_\_\_\_\_  
 Date Recd from Offender: \_\_\_\_\_  
 Date Returned to Offender: \_\_\_\_\_  
 3<sup>rd</sup> Submission UGI Initials: \_\_\_\_\_  
 Grievance #: \_\_\_\_\_  
 Screening Criteria Used: \_\_\_\_\_  
 Date Recd from Offender: \_\_\_\_\_  
 Date Returned to Offender: \_\_\_\_\_





**Texas Department of Criminal Justice**  
**STEP 2** **OFFENDER**  
**GRIEVANCE FORM**

Offender Name: Leonard Ballentine III TDCJ # 1567826  
 Unit: Alfred Hughes Housing Assignment: 12C-35  
 Unit where incident occurred: Alfred Hughes

**OFFICE USE ONLY**

Grievance #: 2019142775  
 UGI Recd Date: JUN 27 2019  
 HQ Recd Date: \_\_\_\_\_  
 Date Due: \_\_\_\_\_  
 Grievance Code: \_\_\_\_\_  
 Investigator ID#: \_\_\_\_\_  
 Extension Date: \_\_\_\_\_

You must attach the completed Step 1 Grievance that has been signed by the Warden for your Step 2 appeal to be accepted. You may not appeal to Step 2 with a Step 1 that has been returned unprocessed.

Give reason for appeal (Be Specific). I am dissatisfied with the response at Step 1 because...

Because I am NOT Redundant, nor has Grievable time expired... My Step 1 is in  
 Regards To I.O.C I Rec. 6-11-19, I put step 1 in 6-13-19.. It was  
 sent back claiming it was Redundant #2019139091 saying Refer to  
 Grievance #2019088782 which is about An Custodial Interrogation on  
 2-25-19.. Totally two diff. Instances & situations. This Step 1 is solely  
 Appealing the Reasoning to discontinue my Corral Investigation.  
 I'm claiming it to be Unlawful, Cruel and Punishment. To say I have  
 to work with Law Enforcement or set in solitary confinement 2 more yrs.  
 I have Corral Rights As Rest of prisoner, yet I'm being denied A Right  
 To grieve my Complaints Now - claiming it's Redundant - That's Impossible.  
 As #2019088782 was wrote prior To 6-11-19, Has Nothing to do  
 With Corral. It's about Staged, Coercive Interrogation!! This is about  
 Appealing Step Reasoning to discontinue my Corral Invest. As I  
 stated In Step 1, As to said Reasoning. Which is A Clear Violation  
 of my Constitutional Rights. I'm Appealing the I.O.C. delivered  
 To me 6-11-19, By Sgt. Broxton. Step one attached. Need  
 both back as I need these processed, As Exhausting Administrative  
 Remedies prior to filing 1983 - "Please process"...

exhibit (2)  
 C

JUL 01 2019

Offender Signature: Samuel Ballester JrDate: 6-25-19.

Grievance Response:

Signature Authority: \_\_\_\_\_

Date: \_\_\_\_\_

Returned because: *\*Resubmit this form when corrections are made.*

- ☐ 1. Grievable time period has expired.
- ☐ 2. Illegible/Incomprehensible.\*
- ☐ 3. Originals not submitted. \*
- ☐ 4. Inappropriate/Excessive attachments.\*
- ☐ 5. Malicious use of vulgar, indecent, or physically threatening language.
- ☐ 6. Inappropriate.\*

CGO Staff Signature: \_\_\_\_\_

**OFFICE USE ONLY****Initial Submission**

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

**2<sup>nd</sup> Submission**

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

**3<sup>rd</sup> Submission**

CGO Initials: \_\_\_\_\_

Date UGI Recd: \_\_\_\_\_

Date CGO Recd: \_\_\_\_\_

(check one) ☐ Screened ☐ Improperly Submitted

Comments: \_\_\_\_\_

Date Returned to Offender: \_\_\_\_\_

In The United States District Court  
For The Western Dist. Of Texas.

Carland Wayne Ballentine III TDC # 1567836  
3201 Fm 929 Alfred Hughes Unit  
Cokesville Tx. 76597~

RECEIVED

AUG 08 2019

CLERK, U.S. DISTRICT COURT,  
WESTERN DISTRICT OF TEXAS  
BY                      DEPUTY CLERK

Dearest, Dist. Clerk! Enclosed you will find 2-copies  
of 1983 Complaint. I Pray, Ask. The Courts To file ON my  
Behalf. Also Enclosed is 6-months Trust fund Activity Sheet.  
1-motion: to Proceed In forma Pauperis. 1-MOTION OF Appointed  
Counsel. (8 pages of exhibits) Attached To Judges 1983--

REQUESTING A JURY TRIAL IN THIS CASE ONCE A  
CIVIL # IS ASSIGNED. THANK YOU FOR YOUR TIME? Hugs.

Sincerely: Carland W. Ballentine III  
Carland W. Ballentine III

7-29-19

Cover Sheet. Origin~

